

Law

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GAINER et al

Atty. Ref.: DMB-4112-7

Serial No. 10/647,132

TC/A.U.: 1621

Filed: August 25, 2003

Examiner: Deborah D. Carr

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR USES

* * * * *

June 15, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO/SB/08a. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

Applicant brings to the attention of the USPTO the attached Notice from the International Bureau dated May 14, 2010, which transmits a copy of the attached International Preliminary Report on Patentability dated May 4, 2010. These documents also enclose a copy of the Written Opinion dated March 25, 2009, which has been previously submitted to the USPTO along with all of the cited references. The attached Notice and International Preliminary Report on Patentability issued in the applicant's PCT/US2008/012440 corresponding to U.S. Patent Application No. 61/001,095 filed on October 31, 2007. The attached Notice of May 14, 2010 and the IPRP dated May 4, 2010, were received within three months of the filing of this Information Disclosure Statement; thus, no fees are due.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached has been considered and made of record.

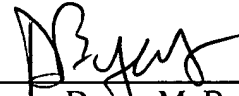
GAINER et al
Serial No. 10/647,132

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Duane M. Byers
Reg. No. 33,363

DMB:lfo
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100